

No. 73364

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF  
NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office OCT 20 2005

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_

Map filed AUG 25 2004 under 71606

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The applicant **High Valley Development, LLC**, a Nevada limited liability company hereby makes application for permission to change the **Point of Diversion, Manner and Place of Use of a portion** of water heretofore appropriated under **Permit 11489, Certificate 4827 (Claim 243) and Claim 165** of that certain decree entitled, "**United States of America, Plaintiff vs. Orr Water Ditch Company, et, al. Defendants**" in Equity Docket A-3

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1. The source of water is **Truckee River**
2. The amount of water to be changed **1.89 acre-feet: Claim 165 – 0.585 acre-feet; Permit 11489 (Claim 243) – 1.305 acre-feet** along with a **pro-rata** portion of the diversion rate of each claim (APN 014-153-12)
3. The water to be used for **Municipal and Domestic**
4. The water heretofore permitted for **As Decreed**
5. The water is to be diverted at the following point **The points of diversion of Truckee Meadows Water Authority's existing water treatment plants as described in attachment "A" and illustrated on the supporting map under Application 71606 on file with the Nevada Division of Water Resources.**
6. The existing permitted point of diversion is located within **Please refer to Attachment "B"**
7. Proposed place of use **Please refer to Attachment "C" and map on file under Application 71606 on file at the Nevada Division of Water Resources**
8. Existing place of use **Claim 165 - 0.13 acres within the SW¼ SW¼, Section 14, T.19N., R.19E., M.D.B.&M.; Permit 11489 (Claim 243) – 0.29 acres within the SW¼ SW¼, Section 14, T.19N., R.19E., M.D.B.&M. (Washoe County APN 014-153-12 as shown on TR Map 112)**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **As Decreed to As Decreed** of each year.
11. Description of proposed works **Water will be diverted at existing water treatment facilities, treated and placed into the distribution system for municipal use**
12. Estimated cost of works **Completed**
13. Estimated time required to construct works **Completed**
14. Estimated time required to complete the application of water to beneficial use **Ten (10) years**

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15. Remarks: The water right is being transferred into the TMWA municipal water system for dedication for service for the benefit of High Valley Development, LLC.

By Gregory M. Bilyeu  
s/ Gregory M. Bilyeu  
500 Damonte Ranch Parkway, #1056  
Reno, NV 89521

Compared gkl/ mt lh/ gkl

Protested \_\_\_\_\_

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APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place of use and manner of use of a portion of the waters of the Truckee River as heretofore granted under Claim 165, and of a portion of Permit 11489, Certificate 4827 which changed the point of diversion of Claim No. 243, Truckee River Decree is issued subject to the terms and conditions imposed in said decree and with the understanding that no other rights on the source will be affected by the change proposed herein. A suitable measuring device must be installed and accurate measurements of water placed to beneficial use must be kept.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.012 cubic feet per second, but not to exceed 1.90 acre-feet as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before:

N/A

Proof of completion of work shall be filed on or before:

N/A

Water must be placed to beneficial use on or before:

July 13, 2016

Proof of the application of water to beneficial use shall be filed on or before:

August 13, 2016

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, Tracy Taylor, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 13th day of July, A.D. 2006

Tracy Taylor, P.E.  
State Engineer

Completion of work filed March 12, 1997 under 60929

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed NA

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_

## ATTACHMENT "A"

The following describes the multiple points of diversion for Truckee Meadows Water Authority Water Treatment Plants, which are shown on the map accompanying Application No. 71606 on file with the State of Nevada, Division of Water Resources, more particularly described as follows:

STEAMBOAT CANAL (HUNTER CREEK RESERVOIR):

The existing point of diversion is situate within the Northeast one-quarter of the Southwest one-quarter (NE $\frac{1}{4}$  SW $\frac{1}{4}$ ) of Section 31, T.19N., R.18E., M.D.B.&M., Washoe County, Nevada, from said point of diversion, the Southeast corner of said Section 31 bears South 62°04' East, a distance of 3,195.00 feet.

HIGHLAND DITCH (HIGHLAND RESERVOIR):

The existing point of diversion is situate within the Southwest one-quarter of the Southeast one-quarter (SW $\frac{1}{4}$  SE $\frac{1}{4}$ ) of Section 9, T.19N., R.18E., M.D.B.&M., Washoe County, Nevada, from said point of diversion, the Southeast corner of said Section 9 bears South 75°16' East, a distance of 1,650.00 feet.

IDLEWILD TREATMENT PLANT:

The existing point of diversion is situate within the Southeast one-quarter of the Southeast one-quarter (SE $\frac{1}{4}$  SE $\frac{1}{4}$ ) of Section 10, T.19N., R.19E., M.D.B.&M., Washoe County, Nevada, from said point of diversion, the Southeast corner of said Section 10 bears South 69°57'58" East, a distance of 842.34 feet.

NORTH TRUCKEE DITCH (GLENDALE TREATMENT PLANT):

The existing point of diversion is situate within the Southwest one-quarter of the Northeast one-quarter (SW $\frac{1}{4}$  NE $\frac{1}{4}$ ) of Section 7, T.19N., R.20E., M.D.B.&M., Washoe County, Nevada, from said point of diversion, the Northeast corner of said Section 7 bears North 39°28' East, a distance of 3,015.00 feet.

ORR DITCH PUMP STATION (CHALK BLUFF TREATMENT PLANT):

The point of diversion is situate within the Northeast one-quarter of the Southeast one-quarter (NE $\frac{1}{4}$  SE $\frac{1}{4}$ ) of Section 17, T.19N., R.19E., M.D.B.&M., Washoe County, Nevada, from said point of diversion the Northeast corner of said Section 17 bears North 15°39'36" East, a distance of 3,264.77 feet.

ORR DITCH (CHALK BLUFF TREATMENT PLANT):

The point of diversion is situate within the Northeast one-quarter of the Southwest one-quarter (NE $\frac{1}{4}$  SW $\frac{1}{4}$ ) of Section 17, T.19N., R.19E., M.D.B.&M., Washoe County, Nevada, from said point of diversion the Southwest corner of said Section 17 bears South 44°40' West, a distance of 3,211.00 feet.

10/14/2005

\\Fileserver1\NorthVal\Water Rights\R.O.C &amp; C.A\Procedures-Forms\CA exh A&amp;B WC&amp;TMWA\Exhibit A - Master TMWA.doc

## ATTACHMENT "B"

### Last Chance Ditch – Claim 165

The SE ¼ NE ¼, Section 14, T.19N., R.18E., M.D.B. & M., or at a point from which the NW Corner of Section 13, <sup>T.19N. R.18E.</sup> said township and range, bears N. 24° 26' E., a distance of 1840 feet. Last Chance Ditch per the Orr Ditch Decree.

REL

### ~~Southside Canal – Claim 243~~

~~The NE ¼ SW ¼, Section 17, T.19N., R.19E., M.D.B. & M., or at a point from which the NW Corner Section 20, <sup>T.19N. R.19E.</sup> said township and range, bears S. 40° 46' W., a distance of 2150 feet. Southside Canal per the Orr Ditch Decree.~~

REL

### Lake Ditch – Permit 11489, Certificate 4827 (formerly claim 243)

The NE ¼ NW ¼, Section 19, T.19N., R.19E., M.D.B. & M., or at a point from which the NW Corner of Section 20, <sup>T.19N. R.19E.</sup> said township and range, bears S. 88° 05' E a distance of 2620 feet. Lake Ditch per Orr Ditch Decree.

REL

## ATTACHMENT "C"

PROPOSED PLACE OF USE				
<u>DIVISION</u>	<u>SECTION</u>	<u>T-N</u>	<u>R-E</u>	
ALL	1-5	18	18	M.D.B.&M.
E½	6&7	18	18	M.D.B.&M.
ALL	8-17	18	18	M.D.B.&M.
E½	18&19	18	18	M.D.B.&M.
ALL	20-29	18	18	M.D.B.&M.
E½	30&31	18	18	M.D.B.&M.
ALL	32-36	18	18	M.D.B.&M.
ALL	1-5	19	18	M.D.B.&M.
E½	6&7	19	18	M.D.B.&M.
ALL	8-17	19	18	M.D.B.&M.
E½	18&19	19	18	M.D.B.&M.
ALL	20-29	19	18	M.D.B.&M.
E½	30&31	19	18	M.D.B.&M.
ALL	32-36	19	18	M.D.B.&M.
ALL	1-5	20	18	M.D.B.&M.
E½	6&7	20	18	M.D.B.&M.
ALL	8-17	20	18	M.D.B.&M.
E½	18&19	20	18	M.D.B.&M.
ALL	20-29	20	18	M.D.B.&M.
E½	30&31	20	18	M.D.B.&M.
ALL	32-36	20	18	M.D.B.&M.
ALL	1-5	21	18	M.D.B.&M.
E½	6&7	21	18	M.D.B.&M.
ALL	8-17	21	18	M.D.B.&M.
E½	18&19	21	18	M.D.B.&M.
ALL	20-29	21	18	M.D.B.&M.
E½	30&31	21	18	M.D.B.&M.
ALL	32-36	21	18	M.D.B.&M.
ALL	1-36	18	19	M.D.B.&M.
ALL	1-36	19	19	M.D.B.&M.
ALL	1-36	20	19	M.D.B.&M.
ALL	1-36	21	19	M.D.B.&M.
ALL	2-35	18	20	M.D.B.&M.
W½	36	18	20	M.D.B.&M.
ALL	1-12	19	20	M.D.B.&M.
ALL	14-23	19	20	M.D.B.&M.
ALL	26-35	19	20	M.D.B.&M.
ALL	1-36	20	20	M.D.B.&M.
ALL	1-36	21	20	M.D.B.&M.
ALL	1-36	20	21	M.D.B.&M.
ALL	1-36	21	21	M.D.B.&M.

SEE SUPPORTING MAP ON FILE WITH APPLICATION NO. 71606